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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 703/2021

SANTOSH DAHIYA

.....Plaintiff

Through: Mr. Aakash Sehrawat, Adv.
(joined through VC) with Mr.
Aditya Singh, Adv. (physically)

Versus

VED PRAKASH & ORS.

.....Defendants

Through: Mr. R. S. Rana, Adv. for LR's of
D-1

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

% 28.11.2024

**IA No.39936/2024 under Order VIII Rule 1 CPC
moved by LR's of deceased defendant no.1 seeking
condonation of delay in filing Written Statement**

Previous cost of Rs.3000/- in cash has been paid by
learned counsel for LR's of deceased defendant no.1 to
learned counsel for the plaintiff today in the court.

Reply to the captioned IA has not been filed by the
plaintiff. At this stage, it is stated by learned counsel for
the plaintiff that he does not wish to file any reply to the
captioned IA and the same may be allowed subject to
imposition of suitable cost.

Heard. In the interest of justice and subject to
imposition of cost of Rs.3000/- upon LR's of D-1 to be paid
to the plaintiff, the captioned IA stands allowed to the
extent that the delay in filing Written Statement filed by
LR's of D-1 is condoned and the same is allowed to be
taken on record.



Cost of Rs.3000/- imposed today in cash has been paid by learned counsel for LR of deceased defendant no.1 to learned counsel for the plaintiff today in the court.

Accordingly, the captioned IA stands disposed of.

CS(OS) 703/2021 & I.A. No. 17207/2021 (by plaintiff u/O XXXIX Rules 1 & 2 CPC)

The right of defendant no.2 to 30 to file written statement has already been closed.

Written Statement filed by LR of D-1 is allowed to be taken on record vide order of even date. The LR of D-1 have also filed one document alongwith Written Statement.

Further, fresh Affidavit of Admission/Denial of the documents filed by LR of D-1 is on record but again, the same is not proper. So, LR of D-1 is directed to file fresh/proper Affidavit of Admission/Denial of the documents strictly as per law within two weeks with copy to the opposite side.

Thereafter, the plaintiff is directed to file Replication alongwith Affidavit of Admission/Denial of the documents within stipulated period as prescribed by law with copy to the opposite side.

The plaintiff is also directed to file soft copy as well as physical copy of Joint Schedule of the documents at least three weeks before the next date of hearing.

Parties are also directed to file their hard copy of the documents of which e-copy already filed on record, if not filed earlier, before the next date of hearing.

Pleading qua LR of D-1 in the captioned IA are already complete.

Remaining defendants except LR of D-1 has not



filed any reply to the captioned IA.

Re-notify the matter for completion of pleadings/marketing of exhibits to the documents on 03.03.2025.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
NOVEMBER 28, 2024/ab
Click here to check corrigendum, if any